

UNITED STATES BANKRUPTCY COURT
Eastern District of Missouri
Eastern Division

In re:

Anna E. Franklin , Robert M.
Franklin, Jr.

Debtor(s)

Bankruptcy Case No.:22-43998 – A659

Anna Franklin

Plaintiff(s)

Chapter: 13

Franklin Credit Management
Corporation

Defendant(s)

Adversary Proceeding No.:23-04007 – A659

All documents regarding this matter **must be identified by **both** Adversary and Bankruptcy Case numbers**

SUMMONS AND NOTICE OF TRIAL IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to file a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall file a motion or answer to the complaint within 35 days.

Address of the Clerk: United States Bankruptcy Court Eastern District of Missouri 111 South Tenth Street, 4th Floor St. Louis, MO 63102

At the same time, you must also serve a copy of the motion or answer on plaintiff's attorney.

Name and Address of Plaintiff's Attorney: Timothy Patrick Powderly The Powderly Law Firm, L.L.C. 11965 St. Charles Rock Rd. Suite 202 St. Louis, MO 63044
--

If you make a motion, your time to answer is governed by Fed. R. Bankr. P. 7012.

YOU ARE NOTIFIED that a trial of the proceeding commenced by the filing of the complaint will be held at the following time and place.

Address: United States Bankruptcy Court Thomas F. Eagleton Courthouse 111 South Tenth Street St. Louis, MO 63102
--

Courtroom 7 North

Date and Time April 18, 2023 10:00 AM
--

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT. FAILURE OF THE PLAINTIFF TO APPEAR ON THE DATE AND TIME SET FORTH IN THIS SUMMONS AND NOTICE MAY RESULT IN DISMISSAL OF THIS ADVERSARY PROCEEDING.



February 17, 2023

Date

Dana C. McWay

Clerk of the Bankruptcy Court

John Howley Jr.

By: _____
Deputy Clerk

CERTIFICATE OF SERVICE

I, _____, certify that service of this summons and a copy of the
(name)
complaint was made _____ by:
(date)

 Mail service: Regular, first class United States mail, postage fully pre-paid, addressed to:

☐ Personal Service: By leaving the process with defendant or with an officer or agent of defendant at:

☐ Residence Service: By leaving the process with the following adult at:

☐ **Certified Mail Service on an Insured Depository Institution:** By sending the process by certified mail addressed to the following officer of the defendant at:

☐ Publication: The defendant was served as follows: [Describe briefly]

☐ State Law: The defendant was served pursuant to the laws of the State of _____ as follows: [Describe briefly]

If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury, I declare that the foregoing is true and correct.

<i>Date</i>		<i>Signature</i>	
Print Name			
Business Address			
City	State	Zip	

UNITED STATES BANKRUPTCY COURT
Eastern District of Missouri
Eastern Division

In re	Anna E. Franklin , Robert M. Franklin, Jr.)	
	Debtor(s))	Case No.: 22-43998 – A659
)	
	Anna Franklin)	Chapter 13
	Plaintiff(s))	
)	Adversary Case No. 23-04007 – A659
	v.)	
)	
	Franklin Credit Management Corporation)	
	Defendant(s))	
)	
)	

CONSENT TO ENTRY OF JUDGMENT AND ORDERS BY BANKRUPTCY COURT

Each party to the above-captioned adversary proceeding is to select one of the following two options indicating whether the party **will consent** or **will not consent** to having the Bankruptcy Court conduct any and all proceedings in this case, including trial and entry of orders and judgment in accordance with the provisions of Title 28 U.S.C. Section 157(b)(1) and/or (c)(2).

IMPORTANT: File this form with the Clerk's office promptly, but not later than 14 days after your appearance, answer or responsive pleading, or, in a removed case in which you have already appeared, not later than 14 days after the service of the notice of removal.

FAILURE TO FILE THIS FORM SHALL BE CONSTRUED AS CONSENT TO ENTRY OF ORDERS AND JUDGMENT BY THE BANKRUPTCY COURT.

CHECK ONE:

- ☐ The party or parties listed below **consent** to entry of judgment and orders by the Bankruptcy Court in this adversary proceeding. (Note: Selecting this option does not affect your ability to challenge this court's subject matter or personal jurisdiction).
- ☐ The party or parties listed below **do not** consent to the entry of judgment and orders by the Bankruptcy Court in this adversary proceeding.

Name of Party or Parties (please type or print):

Submitted by: _____ Dated: _____
 Print Name/Bar No.: _____
 Address: _____

 Telephone Number: _____
 Fax Number: _____
 Email Address: _____

CERTIFICATE OF SERVICE
(Complete each service method that applies)

☐ I. I certify that a true and correct copy of the Consent to Entry of Judgment was filed on (date of service) _____ with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

/s/ _____

☐ II. I certify that a true and correct copy of the Consent to Entry of Judgment was filed with the United States Bankruptcy Court and has been served by United States mail service, first class postage fully pre-paid, addressed to the parties listed below on (date of Service) _____:

/s/ _____

(insert names and addresses of the parties to receive a copy of this document or attach separate service list)

☐ III. I certify that a true and correct copy of the Consent to Entry of Judgment was filed with the United States Bankruptcy Court and has been served on the following Insured Depository Institutions pursuant to Fed. R. Bankr. P. 7004(h), or on the United States, or any of its officers or agencies pursuant to Fed. R. Bank. P. 7004(b)(4) or (5) on (date of service) _____ by (insert certified, first class mail, or other type of authorized service) _____ addressed to the following persons:

/s/ _____

(insert names and addresses of the parties to receive a copy of this document or attach separate service list)